

Present Hon: _____
U.S.D.J.

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LORI CLAYMONT,

Plaintiff,

-against-

PETER SABOURIN, GEORGE IRWIN,
PATRICK KEAVENEY, SABOURIN
AND SUN CANADA, INC., 1261746
ONTARIO INC., SABOURIN AND SUN
GROUP OF COMPANIES, INC. (SSGC),
SABOURIN AND SUN INC., SUNSEEKER
GROUP, LTD., A BAHAMAS
CORPORATION, SABOURIN AND SUN BBI
TRUST, INTERVEST DIRECT INC., AND
OVERWEIGHT PEOPLE.COM, INC.,

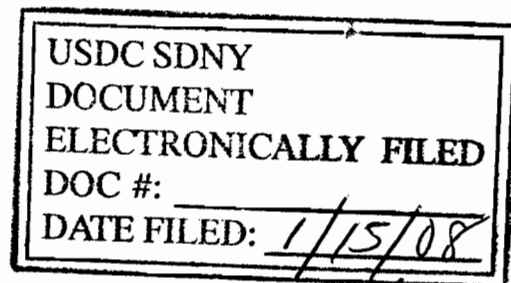
Defendants.

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At the United States District Court for the
Southern District of New York, held at
the Courthouse located at 500 Pearl
Street, New York, New York on the
_____ day of January, 2008.

Docket No.: **07-CV-8246 (SAS)**

ORDER TO SHOW CAUSE



Upon the Application of the Plaintiff LORI CLAYMONT, the reading and filing of the
Affidavit of Daniel R. Olivieri, Esq. sworn to on January 10, 2008, the exhibits annexed thereto,
the memorandum of law attached thereto, and upon all prior pleadings and proceedings had
herein,

LET the parties and/or their attorneys show cause before the Honorable Shira A.
Scheindlin, U.S.D.J. in Courtroom 15C, at the Federal District Courthouse for the Southern
District of New York located at 500 Pearl Street, New York, New York, on the 25th day of
January, 2008 at 1:30 p.m. or as soon thereafter as counsel can be heard why an Order should
not be made as follows:

- (A) Directing Plaintiff to make service of process on the Defendant PETER SABOURIN
(hereinafter "SABOURIN") and Defendants SABOURIN AND SUN, INC.,

SABOURIN AND SUN CANADA, INC., 1261746 ONTARIO INC, SABOURIN AND SUN GROUP OF COMPANIES, INC. (SSGC), SABOURIN AND SUN, BBI TRUST, SUNSEEKER GROUP, LTD., A BAHAMAS CORPORATION, INTERVEST DIRECT INC., (hereinafter "SABOURIN COMPANIES") in this matter by a Court devised method pursuant to Rule 4(f)(3) of the Federal Rules of Civil Procedure, by means of Publication in the Huntsville Forester, a newspaper circulated in the vicinity of SABOURIN's last known place of residence, once each week for three consecutive weeks; that method being reasonably calculated under the circumstances to apprise the interested parties with notice of the pendency of this action; and,

(B) The one hundred and twenty (120) day time limit for service of process prescribed by F.R.C.P. 4(m) should be extended for Defendants SABOURIN and SABOURIN COMPANIES for a period one hundred and twenty (120) days from the date this Order is signed, and it is

~~**ORDERED**, that the Plaintiff is hereby directed by this Court to make service on the Defendants SABOURIN and SABOURIN COMPANIES by way of Publication in a manner reasonably calculated under the circumstances to apprise the interested parties with notice of the pendency of this action. Publication shall be made in the *Huntsville Forester*, whose address is 11 Main Street West, Huntsville, Ontario, Canada, P1H 2C5, once each week for three consecutive weeks, and it is~~

ORDERED, that the Plaintiff is hereby granted an extension of time for service of process on the Defendants SABOURIN and SABOURIN COMPANIES, of ~~one hundred and twenty (120)~~ ^{twenty} days from the date this Order is signed, and

(20)

Sufficient reason appearing therefore, let service of a copy of this Order to Show Cause that copies of this Order, the affidavit, exhibits, and memorandum of law filed therewith, be served by Overnight Mail on the Defendants upon whom service of the Summons and Complaint in this matter has been effectuated, namely, PATRICK KEAVENEY at 75 Broadway Avenue, Suite 807, Toronto, Ontario, Canada and GEORGE IRWIN at 623 Aspen Road, Pickering, Ontario, Canada, on or before January 23, 2008, and upon PETER SABOURIN, at 689 Evergreen Trail, Huntsville Ontario, Canada, his last known address, and upon Peter W.G. Carey, attorney for SABOURIN before the Superior Court of Justice – Ontario, at his offices located at 390 Bay Street Suite 3000, Toronto, Ontario, Canada and that said service shall be deemed good and proper service.

SO ORDERED:



Hon. SHIRA A. SCHEINDLIN, U.S.D.J.

New York,
Dated: ~~Garden City~~, New York
January 14, 2008
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